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8 Attorneys for Oliver Sir, Sir Tools, LLC  
9 and the Oliver Sir Living Trust  
10

11 **UNITED STATES BANKRUPTCY COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13

14 In re  
15 PG&E CORPORATION,  
16 And  
17 PACIFIC GAS AND ELECTRIC  
18 COMPANY,  
19 Debtors.  
20 X – Affects Both Debtors  
21

**CASE NO. 19-30088-DM**

**MOTION PURSUANT TO FED. R. CIV.  
PRO. 17(a)(3) TO SUBSTITUTE SIR  
TOOLS, LLC, AS THE REAL PARTY IN  
INTEREST FOR CLAIM PREVIOUSLY  
FILED, OR IN THE ALTERNATIVE, TO  
ENLARGE TIME TO FILE PROOFS OF  
CLAIM PURSUANT TO FED. R.  
BANKR. 9006(b)(1); DECLARATIONS  
OF OLIVER SIR AND RICHARD H.  
LEVIN IN SUPPORT THEREOF**

**Date: June 24, 2020**  
**Time: 10:00 a.m.**  
**Place: 450 Golden Gate Avenue**  
**Courtroom 17**  
**San Francisco, CA 94102**  
**Judge: Hon. Dennis Montali**

**Objection Deadline: June 12, 2020**

1 Pursuant to Rule 17(a)(3) of the Federal Rules of Civil Procedure (“Rule 17(a)(3)”), Oliver  
2 Sir, individually, as a Trustee of the Sir Family Skyway Trust, and as the sole and managing  
3 member of Sir Tools, LLC, moves to amend Claim Nos 74397, 76075 and 78870, as amended by  
4 Claim Nos. 91735 and 91960 which he filed as an individual and as Trustee for the Oliver Sir  
5 Living Trust and the Sir Family Skyway Trust on December 23, 2019, attached hereto as Exhibit  
6 A. This Motion is supported by the attached declarations of Oliver Sir and Richard H. Levin. The  
7 two proposed Amended Claims, attached hereto as Exhibit D are intended to name the real party in  
8 interest with regard to the business claims described therein – Sir Tools, LLC.

10 On October 21, 2019, two Proofs of Claim were filed on behalf of Oliver Sir as a result of  
11 Camp Fire damage to property at 1541 Sir Ct., in Paradise California: Claim 76075 filed by Mr.  
12 Sir’s original attorney on behalf of Oliver Sir, and Claim 78870 also filed by Mr. Sir’s original  
13 attorney on behalf of Mr. Sir. Both of those Proofs of Claim referenced 1541 Sir Ct. as the  
14 damaged location. Mr. Sir also retained the Levin Law Group PLC, which filed a claim for him in  
15 his capacity as a trustee of the Sir Family Skyway Trust (claim 74397) concerning fire damage to  
16 real and personal property at 9261 Skyway in Paradise, California.

18 In late November 2019, Oliver Sir contacted attorney Richard H. Levin of Levin Law  
19 Group, PLC and asked Mr. Levin to take over the prosecution of all claims arising out of damage  
20 to the real property at 1541 Sir Ct. and also arising out of damage to personal property of a  
21 business owned by Oliver Sir and conducted under the name of Sir Tools at 1541 Sir Ct. Mr. Sir  
22 explained to Mr. Levin that the damaged Sir Tools material, equipment and other personal  
23 property were either located at the business premises of Sir Tools at 1541 Sir Ct. or stored at 9261  
24 Skyway on the date of the Camp Fire. Mr. Levin instructed his staff to prepare two amended  
25 Proofs of Claim based on the above provided information: (1) for damage to the real property at  
26

1 1541 Sir Ct. on behalf of the owner of that real property, the Oliver Sir Living Trust, and the other  
2 for Oliver Sir's claims arising out of damage to the Sir Tools material, equipment and other  
3 personal property, all of which were either at the 1541 Sir Ct. location or in storage at 9261  
4 Skyway. See Declaration of Richard H. Levin attached hereto as Exhibit C.

5  
6 At the time he instructed his staff to prepare those two amended Proofs of Claim, Mr.  
7 Levin believed that the Sir Tool business ("Sir Tools") was being conducted by Oliver Sir as an  
8 individual and Mr. Levin did not realize that the business was in fact owned by a limited liability  
9 company "Sir Tools, LLC". (Exhibit C).

10 Mr. Levin reviewed the two amended Proofs of Claim, approved them, and had them  
11 forwarded to Oliver Sir for execution by Mr. Sir in pro per with the expectation that at some future  
12 date, his law firm would substitute in as counsel for Oliver Sir and the Oliver Sir Living Trust.  
13 (Exhibit A – Claims 91735 and 91960).

14  
15 Oliver Sir reviewed the amended Proofs of Claim and signed them believing that since he  
16 was the sole and managing member of Sir Tools, LLC, he could file a Proof of Claim against  
17 PG&E arising out of the damage to the equipment, inventory and other personal property of Sir  
18 Tools, LLC. Mr. Sir did not realize that Mr. Levin mistakenly believed that Sir Tools was a  
19 business operation of Oliver Sir as an individual and that Mr. Levin did not understand that Sir  
20 Tools was an LLC owned by Mr. Sir. (Exhibit B). Mr. Sir also assumed that reference to the proof  
21 of claim of 1541 Sir Ct. as the loss location was sufficient since the business operations of Sir  
22 Tools were conducted from that location. That amended proof of claim was filed December 23,  
23 2019.

24  
25 Mr. Levin did not realize that Sir Tools was an LLC owned by Mr. Sir rather than a name  
26 under which Mr. Sir personally conducted his business until late April, 2020 when he reviewed  
27

1 material he had received earlier that month from Mr. Sir involving an insurance claim that  
2 referenced Sir Tools as being an LLC.

3 The failure to name Sir Tools LLC was an honest mistake, not an effort to gain a  
4 procedural advantage. Because the claims were originally asserted in October, naming the real  
5 party cannot cause any prejudice to the debtors or other creditors.  
6

7 To the extent that the amended proofs of claim are considered new, late-filed claims, rather  
8 than a correction of the earlier filed claim, the late filing should be allowed because the error in  
9 naming the real parties was excusable neglect under Fed. R. Bankr. 9006(b)(1).

10 Oliver Sir, individually and Sir Tools, LLC, ask that the amended proofs be allowed as a  
11 correction, or in the alternative, as a late filed claim.  
12

### 13 **I. FACTS**

14 Oliver Sir is an individual who was and is the sole and managing member of Sir Tools,  
15 LLC, which operated a business in buildings located at 1541 Sir Court in Paradise California. The  
16 building and the business inventory were damaged in the Camp Fire which resulted in a loss of  
17 income to the LLC and to Mr. Sir, as well as emotional distress to Mr. Sir. See attached  
18 Declaration of Oliver Sir. Sir Tools, LLC also had business-related personal property that was  
19 damaged at 9261 Skyway.  
20

21 Mr. Sir, through his agents, on October 21, 2019, timely filed claims 76075 and 78870  
22 pertaining to damage to real and personal property at 1541 Sir Ct. and personal injury to Mr. Sir.  
23 He amended those claims in pro per filings, naming himself and the Oliver Sir Living Trust on  
24 December 23, 2019 in Claims 91735 and 91960, which related back to the October 21 filing.  
25 Exhibit A – amended claims. On October 18, 2019, the Sir Family Skyway Trust also filed claim  
26 74397 for damages at the property known as 9261 Skyway.  
27

1 As a result of a communication failure, the individuals who prepared the Skyway proof of  
2 claim in October and the pro per amended proofs of claim in December 2019, were not aware that  
3 Sir Tools, LLC, a California Limited Liability Company formed in 2009 is the owner of claims  
4 pertaining to the business. (See attached declarations of Oliver Sir and Richard H. Levin attached  
5 hereto as Exhibits B and C, respectively).  
6

7 In late April, 2020, Mr. Levin discovered that the legal entity conducting the Sir Tools  
8 business was an LLC and not Mr. Sir as an individual. He realized, therefore, that Sir Tools LLC  
9 is the real party in interest with regard to the claim for damage to the business being conducted at  
10 1541 Sir Ct. Around the time that Mr. Levin first realized that Sir Tools was an LLC, Mr. Levin  
11 also realized that the 9261 Skyway location should have been identified in the proof of claim  
12 91735 which covered the damage to the personal property of Sir Tools, and that the only location  
13 referenced in that proof of claim was 1541 Sir Ct. (See Exhibits A and C).  
14

15 Amended proofs have been prepared to state the claims properly. (Exhibit D).

16 **II. ARGUMENT**

17 Rule 17(a)(3), F. R. Civ. Pro.,<sup>1</sup> applies when a party has been misnamed in any civil claim.  
18 It allows the substitution of the real party in interest and provides for the action “to proceed as if it  
19 had been originally commenced by the real party in interest.” The rule applies “when an honest  
20 mistake has been made in choosing the party in whose name the action is to be filed.” 1966  
21 Advisory Committee Notes. The Rule applies to corrections by the plaintiff (or creditor in this  
22

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23  
24 <sup>1</sup> (3) *Joinder of the Real Party in Interest*. The court may not dismiss an action for failure to  
25 prosecute in the name of the real party in interest until, after an objection, a reasonable time has  
26 been allowed for the real party in interest to ratify, join, or be substituted into the action. After  
27 ratification, joinder, or substitution, the action proceeds as if it had been originally commenced  
28 by the real party in interest.

1 case) as well as the defendant (debtor). *Jones v. Las Vegas Metropolitan Police Department*, 873  
2 F.3d 1123, 1129, 98 Fed. R. Serv. 3d 1603 (9th Cir. 2017) (holding that “the district court abused  
3 its discretion by failing to give plaintiffs a reasonable opportunity to substitute the proper party and  
4 thus cure the defective complaint”). Absent evidence that the party was intentionally misnamed in  
5 order to secure a procedural advantage, or based on other bad faith motive, the rule requires that  
6 the correct party be substituted for the party named in good faith error. Mr. Sir made an honest  
7 mistake in failing to name the LLC as the owner of the business. The claims were timely made, so  
8 there is no prejudice to debtors or other creditors. The amended claim should be allowed and  
9 should relate back to the October 21, 2019 filing.

11 In the alternative, to the extent that an extension of the bar date is required to effectuate the  
12 purpose of Rule 17, the mistake in naming Mr. Sir instead of Sir Tools, LLC should be corrected  
13 by permitting the late filing of the amended proof under Bankruptcy Rule 9006(b).

15 Bankruptcy Rule 9006(b)(1) allows the enlargement of time for “an act . . . required or  
16 allowed to be done at or within a specified period . . . by order of court.” Rule 9006(b)(1).  
17 “Excusable neglect” under Bankruptcy Rule 9006(b)(1) is a flexible concept and caselaw has  
18 identified four non-exclusive factors to be considered:

20 With regard to determining whether a party's neglect of a deadline is excusable  
21 . . . we conclude that the determination is at bottom an equitable one, taking account of all  
22 relevant circumstances surrounding the party's omission. These include . . . [1] the danger  
23 of prejudice to the [nonmovant], [2] the length of the delay and its potential impact on  
judicial proceedings, [3] the reason for the delay, including whether it was within the  
reasonable control of the movant, and [4] whether the movant acted in good faith.

24 *Pioneer Inv. Servs. Co. v. Brunswick Assocs. Ltd. Partnership*, 507 U.S. 380, 395, 113 S.Ct.1489,  
25 1498 (1993) (citations omitted).

1 In the present case, there is no potential for prejudice. The business loss claim was stated  
2 in the timely-filed claims. All creditors are being paid. The amendment is being filed within four  
3 weeks after Mr. Sir, the sole and managing member of Sir Tools, LLC, learned of the error. While  
4 movants are responsible for the error, it was made in good faith. There are no countervailing  
5 factors that weigh against allowing the amended claim.  
6

7 The amended claim should be allowed in the interest of justice.

8  
9 **III. CONCLUSION**

10 For the alternative reasons set forth above, Movants respectfully request that this Court  
11 enter an Order pursuant to Fed. R. Civ. Pro. 17(a)(3) and/ or Bankruptcy Rule 9006(b)(1) as  
12 follows:

- 13 1. Granting this Motion;
- 14 2. Directing that the two claim amendments at Exhibit D hereto be deemed timely  
15 filed as relating back to October 21, 2019;
- 16 3. Or, alternatively, directing that Movants shall have until 30 days from a ruling on  
17 this Motion to submit the proofs of claim attached as Exhibit D to Prime Clerk.
- 18 4. Granting such other or further relief as the Court deems just and proper.  
19

20  
21 DATED: May 22, 2020

LEVIN LAW GROUP PLC

22  
23 By: /s/ Richard H. Levin  
24 Richard H. Levin  
25 Oliver Sir, Sir Tools, LLC  
26 and the Oliver Sir Living Trust  
27

# EXHIBIT A



**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)**

**In re:**  
**PG&E CORPORATION,**  
**- and -**  
**PACIFIC GAS AND ELECTRIC**  
**COMPANY,**  
**Debtors.**

**Bankruptcy Case**  
**No. 19-30088 (DM)**  
  
**Chapter 11**  
**(Lead Case)**  
**(Jointly Administered)**

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DEC 23 2019

PRIME CLERK LLC

## Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

**Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.**

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

### Part 1: Identify the Claim

☒ Date Stamped Copy Returned  
☐ No Self-Addressed Stamped Envelope  
☐ No Copy Provided

|   |  |  |  |
|---|--|--|--|
| 1. Who is the current creditor?   |  | Oliver Sir Living Trust<br>Name of the current creditor (the person or entity to be paid for this claim)   |  |
| 2. Has this claim been acquired from someone else?  |  | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. From whom? _____   |  |
| 3. Are you filing this claim on behalf of your family?<br>A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family. |  | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes<br>If you checked "Yes", please provide the full name of each family member that you are filing on behalf of:<br>_____<br>_____<br>_____<br>_____ |  |
| 4. Where should notices and payments to the creditor be sent?<br><br>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)  | Where should notices to the creditor be sent?  |  | Where should payments to the creditor be sent? (if different)  |
|   | Name <u>Oliver Sir</u><br>Attorney Name (if applicable) _____<br>Attorney Bar Number (if applicable) _____<br>Street Address <u>1541 Sir Ct.</u><br>City <u>Paradise</u><br>State <u>CA</u><br>Zip Code <u>95969</u><br>Phone Number <u>530-521-5150</u><br>Email Address <u>oliver@sirtools.com</u> |  | Name _____<br>Attorney Name (if applicable) _____<br>Attorney Bar Number (if applicable) _____<br>Street Address _____<br>City _____<br>State _____<br>Zip Code _____<br>Phone Number _____<br>Email Address _____ |
| 5. Does this claim amend one already filed?   |  | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____   |  |
| 6. Do you know if anyone else has filed a proof of claim for this claim?  |  | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Who made the earlier filing? _____   |  |

Filed on \_\_\_\_\_  
MM / DD / YYYY



**Part 2: Give Information About the Claim as of the Date this Claim Form is Filed****7. What fire is the basis of your claim?**

Check all that apply.

- ☒ Camp Fire (2018)  
☐ North Bay Fires (2017)  
☐ Ghost Ship Fire (2016)  
☐ Butte Fire (2015)  
☐ Other (please provide date and brief description of fire: \_\_\_\_\_)

**8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different?)**

Location(s): 1541 Sir Ct., Paradise, CA 95969

**9. How were you and/or your family harmed?**

Check all that apply

- ☒ Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage)  
☒ Owner ☐ Renter ☐ Occupant ☐ Other (Please specify): \_\_\_\_\_  
☒ Personal Injury  
☐ Wrongful Death (if checked, please provide the name of the deceased) \_\_\_\_\_  
☒ Business Loss/Interruption  
☒ Lost wages and earning capacity  
☒ Loss of community and essential services  
☐ Agricultural loss  
☐ Other (Please specify): \_\_\_\_\_

**10. What damages are you and/or your family claiming/seeking?**

Check all that apply

- ☒ Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage)  
☒ Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage)  
☒ Punitive, exemplary, and statutory damages  
☒ Attorney's fees and litigation costs  
☒ Interest  
☒ Any and all other damages recoverable under California law  
☐ Other (Please specify): \_\_\_\_\_

**11. How much is the claim?**

- ☐ \$ \_\_\_\_\_ (optional)  
☒ Unknown / To be determined at a later date

**Part 3: Sign Below**

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

Check the appropriate box:

- ☒ I am the creditor.  
☐ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 12/03/2019 (mm/dd/yyyy)

DocuSigned by:

*Oliver Sir, Trustee*

DEED2AA31910167...

Signature Oliver Sir, Trustee

**Print the name of the person who is completing and signing this claim:**

|               |   |             |                            |
|---------------|---|-------------|----------------------------|
| Name          | <u>Oliver</u>   |             | <u>Sir, Trustee</u>        |
|               | First name  | Middle name | Last name                  |
| Title         | <u>Trustee</u>  |             |                            |
| Company       | <u></u>   |             |                            |
|               | Identify the corporate servicer as the company if the authorized agent is a servicer. |             |                            |
| Address       | <u>1541 Sir Ct.</u>   |             |                            |
|               | Number  | Street      |                            |
|               | <u>Paradise</u>   | <u>CA</u>   | <u>95969</u>               |
|               | City  | State       | ZIP Code                   |
| Contact phone | <u>530-521-5150</u>   | Email       | <u>oliver@sirtools.com</u> |



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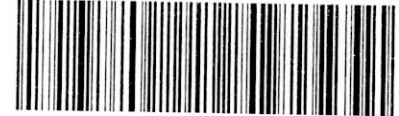
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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)**

**In re:**  
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**- and -**  
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**COMPANY,**  
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**Chapter 11  
(Lead Case)  
(Jointly Administered)**

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DEC 23 2019

PRIME CLERK LLC

## Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

**Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.**

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

### Part 1: Identify the Claim

☒ Date Stamped Copy Returned  
☐ No Self-Addressed Stamped Envelope  
☐ No Copy Provided

|  |  |  |
|--|--|--|
| <b>1. Who is the current creditor?</b><br>Oliver Sir<br>Name of the current creditor (the person or entity to be paid for this claim)  |  |  |
| <b>2. Has this claim been acquired from someone else?</b><br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. From whom? _____  |  |  |
| <b>3. Are you filing this claim on behalf of your family?</b><br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes<br>A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family. <div style="display: flex; justify-content: space-between;"> <div>           If you checked "Yes", please provide the full name of each family member that you are filing on behalf of:<br/>           _____<br/>           _____<br/>           _____<br/>           _____         </div> <div>           _____<br/>           _____<br/>           _____<br/>           _____         </div> </div> |  |  |
| <b>4. Where should notices and payments to the creditor be sent?</b><br><br>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)  | <b>Where should notices to the creditor be sent?</b><br>Name <u>Oliver Sir</u><br>Attorney Name (if applicable) _____<br>Attorney Bar Number (if applicable) _____<br>Street Address <u>1541 Sir Ct.</u><br>City <u>Paradise</u><br>State <u>CA</u><br>Zip Code <u>95969</u><br>Phone Number <u>530-521-5150</u><br>Email Address <u>oliver@sirtools.com</u> | <b>Where should payments to the creditor be sent? (if different)</b><br>Name _____<br>Attorney Name (if applicable) _____<br>Attorney Bar Number (if applicable) _____<br>Street Address _____<br>City _____<br>State _____<br>Zip Code _____<br>Phone Number _____<br>Email Address _____ |
|  |  |  |
| <b>5. Does this claim amend one already filed?</b><br><input type="checkbox"/> No<br><input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) <u>78870/76075</u> <div style="float: right;">Filed on <u>10/21/2019</u><br/>MM / DD / YYYY</div>   |  |  |
| <b>6. Do you know if anyone else has filed a proof of claim for this claim?</b><br><input type="checkbox"/> No<br><input checked="" type="checkbox"/> Yes. Who made the earlier filing? <u>Joseph M. Early III</u>   |  |  |

**Part 2: Give Information About the Claim as of the Date this Claim Form is Filed****7. What fire is the basis of your claim?**

Check all that apply.

- ☒ Camp Fire (2018)  
☐ North Bay Fires (2017)  
☐ Ghost Ship Fire (2016)  
☐ Butte Fire (2015)  
☐ Other (please provide date and brief description of fire: \_\_\_\_\_)

**8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different?)**

Location(s): 1541 Sir Ct., Paradise, CA 95969

**9. How were you and/or your family harmed?**

Check all that apply

- ☒ Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage)  
☒ Owner ☐ Renter ☐ Occupant ☐ Other (Please specify): \_\_\_\_\_  
☒ Personal Injury  
☐ Wrongful Death (if checked, please provide the name of the deceased) \_\_\_\_\_  
☒ Business Loss/Interruption  
☒ Lost wages and earning capacity  
☒ Loss of community and essential services  
☐ Agricultural loss  
☐ Other (Please specify): \_\_\_\_\_

**10. What damages are you and/or your family claiming/seeking?**

Check all that apply

- ☒ Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage)  
☒ Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage)  
☒ Punitive, exemplary, and statutory damages  
☒ Attorney's fees and litigation costs  
☒ Interest  
☒ Any and all other damages recoverable under California law  
☐ Other (Please specify): \_\_\_\_\_

**11. How much is the claim?**

- ☐ \$ \_\_\_\_\_ (optional)  
☒ Unknown / To be determined at a later date



**Part 3: Sign Below**

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

Check the appropriate box:

- ☒ I am the creditor.  
☐ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 12/03/2019 (mm/dd/yyyy)

DocuSigned by:

*Oliver Sir*

DEED2AA34946487...  
Signature

**Print the name of the person who is completing and signing this claim:**

|               |   |             |                            |
|---------------|---|-------------|----------------------------|
| Name          | <u>Oliver</u>   |             | <u>Sir</u>                 |
|               | First name  | Middle name | Last name                  |
| Title         | <u></u>   |             |                            |
| Company       | <u></u>   |             |                            |
|               | Identify the corporate servicer as the company if the authorized agent is a servicer. |             |                            |
| Address       | <u>1541 Sir Ct.</u>   |             |                            |
|               | Number  | Street      |                            |
|               | <u>Paradise</u>   | <u>CA</u>   | <u>95969</u>               |
|               | City  | State       | ZIP Code                   |
| Contact phone | <u>530-521-5150</u>   | Email       | <u>oliver@sirtools.com</u> |

# FedEx

## Express

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 12-201  
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 9975  
 12:26

FedEx Express Billable Stamp  
 Use only for shipments within the U.S.  
 Saturday delivery not available.

1 From See optional release signature below:  
 ORDER: 00848273  
 PRIME CLERK LLC  
 CHICO, CA  
 DECLARED VALUE \$100  
 PACKAGE WEIGHT  
 (212) 257-4169

RECEIVED  
 DEC 26 2019

PRIME CLERK LLC

2 To Shipment will not be accepted if address below is altered.  
 PG&E CLAIMS PROCESSING  
 PRIME CLERK LLC  
 850 3RD AVE STE 412  
 BROOKLYN, NY 11232  
 (212) 257-4169

NONREDEEMABLE  
 Please see back for declared  
 value information and important  
 terms and conditions.

FedEx  
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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:  
PG&E CORPORATION,  
- and -  
PACIFIC GAS AND ELECTRIC  
COMPANY,  
Debtors.

Bankruptcy Case  
No. 19-30088 (DM)  
  
Chapter 11  
(Lead Case)  
(Jointly Administered)

RECEIVED  
OCT 18 2019

PRIME CLERK LLC  
☒ Date Stamped Copy Returned  
☐ No Self-Addressed Stamped Envelope  
☐ No Copy Provided

## Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

### Part 1: Identify the Claim

|   |  |   |
|---|--|---|
| 1. Who is the current creditor?   | Sir Family Skyway Trust<br>Name of the current creditor (the person or entity to be paid for this claim)   |   |
| 2. Has this claim been acquired from someone else?  | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. From whom? _____   |   |
| 3. Are you filing this claim on behalf of your family?<br>A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family. | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes<br>If you checked "Yes", please provide the full name of each family member that you are filing on behalf of:<br>_____<br>_____<br>_____<br>_____   |   |
| 4. Where should notices and payments to the creditor be sent?<br>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)  | Where should notices to the creditor be sent?<br>Name <u>Levin Law Group PLC</u><br>Attorney Name (if applicable) <u>Richard Levin</u><br>Attorney Bar Number (if applicable) <u>32041</u><br>Street Address <u>2615 Forest Ave., Ste. 120</u><br>City <u>Chico</u><br>State <u>CA</u><br>Zip Code <u>95928</u><br>Phone Number <u>530-353-1679</u><br>Email Address <u>rlevin62@aol.com</u> | Where should payments to the creditor be sent? (if different)<br>Name <u>Levin Law Group PLC</u><br>Attorney Name (if applicable) <u>Richard Levin</u><br>Attorney Bar Number (if applicable) <u>32041</u><br>Street Address <u>2615 Forest Ave., Ste. 120</u><br>City <u>Chico</u><br>State <u>CA</u><br>Zip <u>95928</u><br>Phone Number <u>530-353-1679</u><br>Email Address <u>rlevin62@aol.com</u> |
| 5. Does this claim amend one already filed?   | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY   |   |
| 6. Do you know if anyone else has filed a proof of claim for this claim?  | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. Who made the earlier filing? _____   |   |

Proof of Claim (Fire Related)



Page 1

**Part 2:****Give Information About the Claim as of the Date this Claim Form is Filed****7. What fire is the basis of your claim?**

Check all that apply.

☒ Camp Fire (2018)☐ North Bay Fires (2017)☐ Ghost Ship Fire (2016)☐ Butte Fire (2015)☐ Other (please provide date and brief description of fire: \_\_\_\_\_)**8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different?)**

9261 Skyway, Paradise, CA 95969

**9. How were you and/or your family harmed?**

Check all that apply

☒ Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage)☒ Owner ☐ Renter ☐ Occupant ☐ Other (Please specify): \_\_\_\_\_☒ Personal Injury☐ Wrongful Death (if checked, please provide the name of the deceased) \_\_\_\_\_☒ Business Loss/Interruption☒ Lost wages and earning capacity☒ Loss of community and essential services☐ Agricultural loss☐ Other (Please specify): \_\_\_\_\_**10. What damages are you and/or your family claiming/seeking?**

Check all that apply

☒ Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage)☒ Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage)☒ Punitive, exemplary, and statutory damages☒ Attorney's fees and litigation costs☒ Interest☒ Any and all other damages recoverable under California law☐ Other (Please specify): \_\_\_\_\_**11. How much is the claim?**☐ \$ \_\_\_\_\_ (optional)☒ Unknown / To be determined at a later date

**Part 3: Sign Below**

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

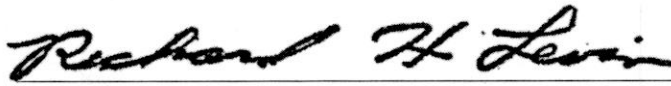
Check the appropriate box:

- ☐ I am the creditor.  
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/15/2019 (mm/dd/yyyy)

  
Signature

Print the name of the person who is completing and signing this claim:

|               |   |               |                         |
|---------------|---|---------------|-------------------------|
| Name          | <u>Richard</u>  | <u>Harvey</u> | <u>Levin</u>            |
|               | First name  | Middle name   | Last name               |
| Title         | <u>Attorney</u>   |               |                         |
| Company       | <u>Levin Law Group PLC</u>  |               |                         |
|               | Identify the corporate servicer as the company if the authorized agent is a servicer. |               |                         |
| Address       | <u>2615 Forest Ave., Ste. 120</u>   |               |                         |
|               | Number  | Street        |                         |
|               | <u>Chico</u>  | <u>CA</u>     | <u>95928</u>            |
|               | City  | State         | ZIP Code                |
| Contact phone | <u>530-353-1679</u>   | Email         | <u>rlevin62@aol.com</u> |



**Fed**  
Express

**Billable Stamp**

Use only for shipments within the U.S.  
Saturday delivery not available.

1 From See optional release signature below.

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OCT 23 2019

TIME CLERK LLO

Next business afternoon by  
3 p.m. Not available to all  
locations. Weekday delivery  
only. Please consult the  
current FedEx Service Guide  
for specific commitments.

2 To Shipment will not be accepted if address below is altered.

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NONREDEEMABLE

Please see back for declared  
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**FedEx**

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# EXHIBIT B

**DECLARATION OF OLIVER SIR**

I, OLIVER SIR, declare:

1. I am over 21 and am competent to testify. I have personal knowledge of the following and I declare, under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following is true:

2. At the time of the 2018 Camp Fire, Sir Tools, LLC was operating a business known as Sir Tools from buildings located at 1541 Sir Court in Paradise, California. It also kept some personal property at 9261 Skyway in Paradise, California. I am the sole and managing member of Sir Tools, LLC and duly authorized to act on its behalf. I am also a Trustee duly authorized to act for the Oliver Sir Living Trust and the Sir Family Skyway Trust.

3. Sir Tools LLC operated the business and owned the inventory, equipment and other personal property used in the business at 1541 Sir Court and also stored some of that personal property at 9261 Skyway. It is the real party in interest for claims relating to the damage the LLC sustained as a result of the fire at both properties.

4. The real property at 1541 Sir Court is owned by the Oliver Sir Living Trust, which leased the property to Sir Tools, LLC. I am the trustee duly authorized to act for that trust. The real property at 9261 Skyway is owned by the Sir Family Skyway Trust. I am also a trustee duly authorized to act for that trust.

5. The Camp Fire damaged the buildings and Sir Tools, LLC inventory at 1541 Sir Court, disrupted the business of Sir Tools, LLC, and caused me personal injury – including lost wages, emotional distress and disruption of my work and home life. It also damaged property of Sir Tools, LLC that was located at 9261 Skyway.

1           6.       I retained Richard Levin in October 2019 to assert claims including those for  
2 damage at 9261 Skyway, filed on October 18, 2019 as proof of claim No. 74397.

3           7.       Initially claims 78870 and 76075 were filed on my behalf on October 21, 2019 to  
4 assert claims for damage to all real and personal property and to my personal claims for damage at  
5 1541 Sir Court. I later filed two amended proofs of claim, in pro per (Nos. 91735 and 91960) on  
6 December 23, 2019 (superseding those prior proofs of claim). It was my intent to assert the  
7 business loss, inventory loss, equipment loss, real property loss and personal injury from damage  
8 to 1541 Sir Court and also the loss from damage to personal property of Sir Tools LLC stored at  
9 9261 Skyway.  
10

11           8.       I retained Richard Levin in late November 2019 to prepare amended proofs of claim  
12 relating to the properties at 1541 and 1542 Sir Court and relating also to all personal property of  
13 the Sir Tools business damaged in the Camp Fire, which I filed in pro per. It was my intent to  
14 substitute the Levin Law Group PLC as counsel at a later date. Although it was my intent to assert  
15 the claims of Sir Tools, LLC in one of the amended proofs of loss, Mr. Levin stated to me earlier  
16 this month that he did not realize that the LLC owned the Sir Tools business claims and so  
17 prepared amended proof 91735 in my name as an individual. I signed the claims in the belief that I  
18 was asserting all claims of the LLC with respect to all personal property of the LLC located both at  
19 1541 Sir Court and 9261 Skyway, and that as the sole owner of the LLC I had a right to act on the  
20 LLC's behalf in my own name.  
21

22           9.       In early May, 2020, Mr. Levin told me that he had just realized that Sir Tools was  
23 an LLC as a result of reviewing insurance related material I had sent him in April, 2020, although I  
24 believe I mentioned that fact to him in November, 2019. He also told me in early May, 2020 that  
25 he had just realized that the proof of claim for Sir Tools property had referenced only 1541 Sir  
26  
27

1 Court as the loss location and should have included a reference to 9261 Skyway as an additional  
2 loss location. My lawyers have prepared two proofs of claim to amend those originally filed on  
3 October 18 and October 21, 2019 by clarifying that the Sir Tools business claims belong to Sir  
4 Tools, LLC, and cover Sir Tools personal property damaged at both locations.

5  
6 10. I had no intent to gain any advantage by filing the claims without naming all of the  
7 real parties in interest. The error was made in good faith.

8 I declare under penalty of perjury that the foregoing is true to the best of my knowledge.

9 Executed this 21<sup>st</sup> day of May, 2020 at Oradea, Romania.

11 DocuSigned by:

12 *Oliver Sir*

13 DEFDZAA34946487...

14 OLIVER SIR, individually

15 SIR TOOLS, LLC

DocuSigned by:

16 *Oliver Sir*

17 DEFDZAA34946487...

18 OLIVER SIR

19 By: Manager Sir Tools, LLC



# EXHIBIT C

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1           6.       I instructed my staff to prepare pro per amended Proofs of Claim with respect to the  
2 1541 and 1542 Sir Ct. properties, instructing my staff to prepare an amended Proof of Claim on  
3 behalf of Oliver Sir Living Trust with respect to the property at 1541 Sir Ct. (ultimately filed as  
4 Claim 91960) and a separate amended Proof of Claim with respect to 1541 Sir Ct. on behalf of  
5 Oliver Sir as an individual (ultimately filed as Claim 91735), not realizing that the business being  
6 conducted at that location was in fact an LLC owned by Mr. Sir and not a sole proprietorship of  
7 Mr. Sir personally and thought my staff understood that the Skyway address should be included as  
8 an additional location of the damaged Sir Tools property.  
9

10           7.       I reviewed the two proposed amended Proofs of Claim (91960 and 91735), and  
11 either did not notice the omission of any reference to the Skyway location or did not realize the  
12 significance of that omission at that time, approved them, and had them forwarded to Oliver Sir for  
13 execution.  
14

15           8.       I did not realize until late April 2020, when I reviewed material that Oliver Sir had  
16 sent me in early April involving his insurance claim relating to damage to Sir Tool's inventory and  
17 equipment at 1541 Sir Ct. that this business was actually an LLC solely owned by Oliver Sir rather  
18 than a business being conducted by him personally. Several days later, in reviewing my files in  
19 this matter I also realized that the 9261 Skyway location was not mentioned and that only the 1541  
20 Sir Ct. location was mentioned in the proof of claim covering the Sir Tools business loss, and also  
21 at that point realized the significance of that omission.  
22

23           9.       It took me several weeks to complete the legal research necessary to determine the  
24 appropriate course of action at that point. Completion of that research was delayed for about two  
25 weeks because I did not have access to legal materials necessary to prepare this motion without  
26 access to the LA County Law Library. That law library was closed to the public, and it took me  
27

1 approximately two weeks to arrange for the reference desk to electronically forward to me, and to  
2 actually receive the legal material that I initially needed to perform the necessary research to  
3 determine the appropriate motion and to prepare points and authorities in support of that motion.  
4

5 I declare under the penalty of perjury under that the foregoing is true and correct.

6 Executed on this 22<sup>nd</sup> day of May, 2020, at Los Angeles, California.  
7  
8

9 /s/ Richard H. Levin  
Richard H. Levin  
10  
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# EXHIBIT D

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:  
PG&E CORPORATION,  
- and -  
PACIFIC GAS AND ELECTRIC  
COMPANY,  
Debtors.

Bankruptcy Case  
No. 19-30088 (DM)

Chapter 11  
(Lead Case)  
(Jointly Administered)

## Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

**Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.**

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

### Part 1: Identify the Claim

1. Who is the current creditor?

Name of the current creditor (the person or entity to be paid for this claim)

2. Has this claim been acquired from someone else?

☐ No

☐ Yes. From whom?

3. Are you filing this claim on behalf of your family?

☐ No

☐ Yes

If you checked "Yes", please provide the full name of each family member that you are filing on behalf of:

A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.

4. Where should notices and payments to the creditor be sent?

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?

Name

Attorney Name (if applicable)

Attorney Bar Number (if applicable)

Street Address

City

State

Zip Code

Phone Number

Email Address

Where should payments to the creditor be sent? (if different)

Name

Attorney Name (if applicable)

Attorney Bar Number (if applicable)

Street Address

City

State

Zip Code

Phone Number

Email Address

5. Does this claim amend one already filed?

☐ No

☐ Yes. Claim number on court claims registry (if known)

Filed on MM / DD / YYYY

6. Do you know if anyone else has filed a proof of claim for this claim?

☐ No

☐ Yes. Who made the earlier filing?

**Part 2:** Give Information About the Claim as of the Date this Claim Form is Filed

|  |  |
|--|--|
| <b>7. What fire is the basis of your claim?</b><br>Check all that apply.   | <input type="checkbox"/> Camp Fire (2018)<br><input type="checkbox"/> North Bay Fires (2017)<br><input type="checkbox"/> Ghost Ship Fire (2016)<br><input type="checkbox"/> Butte Fire (2015)<br><input type="checkbox"/> Other (please provide date and brief description of fire: _____)   |
| <b>8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)</b> | Location(s): _____   |
| <b>9. How were you and/or your family harmed?</b><br>Check all that apply  | <input type="checkbox"/> Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage)<br><input type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Occupant <input type="checkbox"/> Other (Please specify): _____<br><input type="checkbox"/> Personal Injury<br><input type="checkbox"/> Wrongful Death (if checked, please provide the name of the deceased) _____<br><input type="checkbox"/> Business Loss/Interruption<br><input type="checkbox"/> Lost wages and earning capacity<br><input type="checkbox"/> Loss of community and essential services<br><input type="checkbox"/> Agricultural loss<br><input type="checkbox"/> Other (Please specify): _____ |
| <b>10. What damages are you and/or your family claiming/seeking?</b><br>Check all that apply   | <input type="checkbox"/> Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage)<br><input type="checkbox"/> Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage)<br><input type="checkbox"/> Punitive, exemplary, and statutory damages<br><input type="checkbox"/> Attorney's fees and litigation costs<br><input type="checkbox"/> Interest<br><input type="checkbox"/> Any and all other damages recoverable under California law<br><input type="checkbox"/> Other (Please specify): _____                      |
| <b>11. How much is the claim?</b>  | <input type="checkbox"/> \$ _____ (optional)<br><input type="checkbox"/> Unknown / To be determined at a later date  |

Part 3: Sign Below

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

*Check the appropriate box:*

- ☐ I am the creditor.  
☐ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date \_\_\_\_\_(mm/dd/yyyy)

\_\_\_\_\_  
Signature

**Print the name of the person who is completing and signing this claim:**

Name \_\_\_\_\_  
First name Middle name Last name

Title \_\_\_\_\_

Company \_\_\_\_\_  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_  
Number Street

City State ZIP Code

Contact phone \_\_\_\_\_ Email \_\_\_\_\_



UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:  
PG&E CORPORATION,  
- and -  
PACIFIC GAS AND ELECTRIC  
COMPANY,  
Debtors.

Bankruptcy Case  
No. 19-30088 (DM)

Chapter 11  
(Lead Case)  
(Jointly Administered)

## Proof of Claim (Fire Claim Related)

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Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

### Part 1: Identify the Claim

|   |  |   |
|---|--|---|
| 1. Who is the current creditor?   | Oliver Sir<br>Name of the current creditor (the person or entity to be paid for this claim)  |   |
| 2. Has this claim been acquired from someone else?  | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes. From whom? _____   |   |
| 3. Are you filing this claim on behalf of your family?<br>A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family. | <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes<br>If you checked "Yes", please provide the full name of each family member that you are filing on behalf of:<br>_____<br>_____<br>_____<br>_____   |   |
| 4. Where should notices and payments to the creditor be sent?<br>Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)  | Where should notices to the creditor be sent?<br>Name <u>Levin Law Group PLC</u><br>Attorney Name (if applicable) <u>Richard Levin</u><br>Attorney Bar Number (if applicable) <u>32041</u><br>Street Address <u>2615 Forest Ave, Suite 120</u><br>City <u>Chico</u><br>State <u>CA</u><br>Zip Code <u>95928</u><br>Phone Number <u>530 353 1679</u><br>Email Address <u>rlevin62@aol.com</u> | Where should payments to the creditor be sent? (if different)<br>Name _____<br>Attorney Name (if applicable) _____<br>Attorney Bar Number (if applicable) _____<br>Street Address _____<br>City _____<br>State _____<br>Zip Code _____<br>Phone Number _____<br>Email Address _____ |
| 5. Does this claim amend one already filed?   | <input type="checkbox"/> No<br><input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) <u>91735/78870/76075</u><br>Filed on <u>10/21/2019</u><br>MM / DD / YYYY  |   |
| 6. Do you know if anyone else has filed a proof of claim for this claim?  | <input type="checkbox"/> No<br><input checked="" type="checkbox"/> Yes. Who made the earlier filing? <u>Oliver Sir</u>   |   |

**Part 2: Give Information About the Claim as of the Date this Claim Form is Filed**

|  |  |
|--|--|
| <b>7. What fire is the basis of your claim?</b><br>Check all that apply.   | <input checked="" type="checkbox"/> Camp Fire (2018)<br><input type="checkbox"/> North Bay Fires (2017)<br><input type="checkbox"/> Ghost Ship Fire (2016)<br><input type="checkbox"/> Butte Fire (2015)<br><input type="checkbox"/> Other (please provide date and brief description of fire: _____)  |
| <b>8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)</b> | Location(s): 1541 Sir Ct, and 9261 Skyway, Paradise, CA 95969 (note, separate claims are being filed for business loss and real property damage at the same address)   |
| <b>9. How were you and/or your family harmed?</b><br>Check all that apply  | <input type="checkbox"/> Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage)<br><input type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Occupant <input type="checkbox"/> Other (Please specify): _____<br><input checked="" type="checkbox"/> Personal Injury<br><input type="checkbox"/> Wrongful Death (if checked, please provide the name of the deceased) _____<br><input type="checkbox"/> Business Loss/Interruption<br><input checked="" type="checkbox"/> Lost wages and earning capacity<br><input checked="" type="checkbox"/> Loss of community and essential services<br><input type="checkbox"/> Agricultural loss<br><input type="checkbox"/> Other (Please specify): _____  |
| <b>10. What damages are you and/or your family claiming/seeking?</b><br>Check all that apply   | <input type="checkbox"/> Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage)<br><input checked="" type="checkbox"/> Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage)<br><input checked="" type="checkbox"/> Punitive, exemplary, and statutory damages<br><input checked="" type="checkbox"/> Attorney's fees and litigation costs<br><input checked="" type="checkbox"/> Interest<br><input checked="" type="checkbox"/> Any and all other damages recoverable under California law<br><input type="checkbox"/> Other (Please specify): _____ |
| <b>11. How much is the claim?</b>  | <input type="checkbox"/> \$ _____ (optional)<br><input checked="" type="checkbox"/> Unknown / To be determined at a later date   |

**Part 3: Sign Below**

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

*Check the appropriate box:*

- ☐ I am the creditor.  
☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 05/22/2020 (mm/dd/yyyy)

/s/ Richard H. Levin

Signature

**Print the name of the person who is completing and signing this claim:**

|               |   |             |                         |
|---------------|---|-------------|-------------------------|
| Name          | <u>Richard Levin</u>  |             |                         |
|               | First name  | Middle name | Last name               |
| Title         | <u>Attorney</u>   |             |                         |
| Company       | <u>Levin Law Group PLC</u>  |             |                         |
|               | Identify the corporate servicer as the company if the authorized agent is a servicer. |             |                         |
| Address       | <u>2615 Forest Ave, Suite 120</u>   |             |                         |
|               | Number  | Street      |                         |
|               | <u>Chico</u>  | <u>CA</u>   | <u>93928</u>            |
|               | City  | State       | ZIP Code                |
| Contact phone | <u>530 353 1679</u>   | Email       | <u>rlevin62@aol.com</u> |